Appl. No.

: 10/534,825

Confirmation No. : 8880

Applicant.

: David Edwln Thurston, et al.

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October 20, 2005

Title

: Pyrrolobenzopdiazepines

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Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. 1.132

- I, Dr. Philip Howard, declare as follows:
- 1, I have personal knowledge of the following facts and I make this declaration in support of the prosecution of U.S. Patent Application Serial No. 10/54,825 before the United States Patent and Trademark Office.
- I am currently employed Vice-President (Chemistry) at SpiroGen Limited, a position I have held since June 2003 (full time). Prior to that I was employed as Senior Research Officer, University of London, School of Pharmacy.
 - 3. My curriculum vitae is attached as Appendix A.
- I am a co-inventor of the subject matter of the above-identified application and I 4. am familiar with the art and with the prosecution history of this application.
- 5. We have now performed additional comparative testing between the compounds of the present invention and the prior art compounds.

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6. The compounds tested were

from the prior art and

according to the present invention.

- 7. The compounds were tested according to the assays described in the specification at pages 61-62.
 - 8. The results are shown in the table below.

	IC ₅₀ (nM) Breast MACL MCF7	IC ₅₀ (nM) Renal RXF944L	IC ₅₀ (nM) Lung 629L	IC ₅₀ (nM) Melanoma MEXF462NL
C1	19.33	20.50	44.50	40.00
11	0.22	1.32	6.50	1.80

9. The data shows considerable improvement across a range of cell lines in the activity of compound 11 over compound C1, wherein the only change is in the 2-substituent from phenyl to naphthyl.

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10. I hereby declare that all statements made herein of my own knowledge are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 31 day of Augus 7, 2007

Dr. Philip Howard

Name:

Dr Philip Wilson Howard

DOB:

24/6/1964

Age:

42

Nationality

British

Sex:

Male

Current Position:

Director of Chemistry SpirogenSenior Research Fellow, Deputy Director CR-UK Gene Targeted Drug Design

Research Group

Qualifications:

BSc (2.1) Applied Chemistry, Kingston Polytechnic PhD University of East Anglia, "The preparation and Chemistry of Dihydrocatechol Derived Organoiron

Complexes".

Career:

1991-1994 Post Doctoral Fellow, SmithKline Beacham

1994-1995 Post Doctoral Fellow, University of

Portsmouth

1995-2000 Senior Lecturer, University of Portsmouth 2000-2001 Senior Research Fellow, University of

Nottingham

2001-Director of Chemistry Spirogen/Senior Research

Fellow ULSOP.

Grants:

CR-UK Programme Grant C180/A1060 (Co-PI)
CR-UK Project Grant C180/A1066 (Co-PI)
CR-UK Programme Grant C180/A5068 (Co-PI)
CR-UK Studentship C180/A4522 (Co-PI)
CR-UK Studentship C180/A2778 (Co-PI)
EPSRC Case Award GR/PO1366/01 (Co-PI)

EPSRC Case Award PSRC Quota Award

CR-UK Equipment Grant C180/A3959 (Co-PI)

Publications/patents:

Over 40 papers in peer reviewd scientific journals

and over 14 patents (see below)

Invited Lectures:

SMi Drug Design, "Gene Targeting Approaches to Anti-Cancer Drug Design", London, UK (February 2003).

Societa Chimica Italiana Divisione Di Chimica Farmaceutica (Italian Medicinal Chemistry Summer School), Urbino, Italy (Jun-Jul 2003).

The Royal Society of Chemistry – Cancer Therapeutics in the 21st Century, Manchester, UK (October 2003).

25th Winter Meeting of the EORTC-PAMM Group, Bradford, UK (January 2004).

Part 1 of SMi's Global Cancer Event - Innovations in Cancer Drug Discovery, "Design of Small Sequence-Selective DNA-Interactive Molecules", London, UK (June, 2004).

British Association of Cancer Research, Oxford, UK.

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